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March 30, 2021

VIA ELECTRONIC CASE FILING

The Honorable Brenda K. Sannes, U.S.D.J.
U.S. District Court, Northern District of New York
Federal Building and U.S. Courthouse
Post Office Box 7336
Syracuse, New York 13261-7336

**Re: Ernestine Welch v. BioReference Laboratories, Inc.
Civil Action No. 1:19-cv-00846 (BKS)(DJS)**

Dear Judge Sannes:

This firm represents defendant BioReference Laboratories, Inc. ("BioReference") in the above-referenced case. Kindly accept this letter as an objection to plaintiff Ernestine Welch's public filing of papers that are the subject of BioReference's pending Motion to Seal.

By way of background, in a letter to the Court dated January 4, 2021, Ms. Welch objected to BioReference taking withholding from her settlement check. (ECF No. 34). On January 26, 2021, BioReference filed opposition to Mr. Welch's objections. (ECF No. 38). BioReference's opposition included the parties' Settlement Agreement, which BioReference sought to file under seal. (ECF No. 37). On February 26, 2020, the Honorable Daniel J. Stewart, U.S.M.J., issued a "Report-Recommendation and Order" recommending that the Court deny Ms. Welch's motion challenging the settlement and grant BioReference's Motion to Seal. (ECF No. 41). Ms. Welch did not object to the Report-Recommendation and Order.

On March 16, 2021, Ms. Welch filed a "Breach of Contract" motion with the Court. (ECF No. 43). On March 29, 2021, Ms. Welch supplemented her submission with the public filing of the parties' Settlement Agreement (ECF No. 44) – the very document that BioReference had sought to seal and Judge Stewart had recommended for sealing.

BioReference respectfully requests that the Court issue an Order: (1) directing the Clerk of the Court to remove the Settlement Agreement from the public Electronic Case Filing system; (2) sealing the Settlement Agreement; and (3) directing Ms. Welch to comply with the Court's Orders and Rules.

Hon. Brenda K. Sannes, U.S.D.J.

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March 30, 2021

Thank you for Your Honor's attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "W.R. Horwitz", with a stylized flourish at the end.

WILLIAM R. HORWITZ

cc: Counsel of record (via ECF)
Ms. Ernestine Welch, *pro se* (via regular mail)